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OFFICE OF PETITIONS

In re Application of	:
William Shaw	:
Application No. 10/676,544	: DECISION GRANTING PETITION
Filed: October 1, 2003	: UNDER 37 CFR 1.137(b)
Attorney Docket No. H20G001USO	:

This is a decision on the petition under 37 CFR 1.137(b), filed June 19, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Non-final Office action of August 22, 2005, is accepted as having been unintentionally delayed.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$225 extension of time submitted with the petition on June 19, 2006 was subsequent to the maximum extendable period for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 3751

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions